

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAHINAH IBRAHIM,
Plaintiff,

No. C 06-00545 WHA

v.

DEPARTMENT OF HOMELAND
SECURITY, *et al.*,
Defendants.

**ORDER DENYING NON-PARTIES'
SECOND ADMINISTRATIVE MOTION
TO FILE UNDER SEAL AN *EX PARTE*,
IN CAMERA CLASSIFIED DECLARATION
IN SUPPORT OF THE ASSERTION OF
LAW ENFORCEMENT PRIVILEGE**

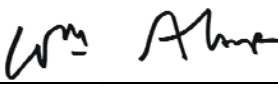
This action challenges the placement of plaintiff's name on the "no-fly list." A series of discovery motions have created a mess. An order dated November 19, 2009, attempted "to simplify a thicket of competing discovery motions," and restated a deadline, already set by a prior order: "Any privilege concerns as to all pending motions must be asserted, along with all supporting bases thereof, by **FRIDAY, NOVEMBER 20, 2009 AT NOON**" (Dkt. No. 263 at 1, 11).

Former federal defendants timely asserted, *inter alia*, the law enforcement privilege and two supporting declarations thereof. But they now seek to file *another* declaration in support of the same privilege almost two weeks after the expiration of the November 20 deadline. No excuse as to the delayed filing is provided.

The November 19 order was clear. The administrative motion to file under seal an *ex parte*, *in camera* classified declaration in support of the assertion of the law enforcement privilege is hereby **DENIED**.

IT IS SO ORDERED.

Dated: December 2, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE